

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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JOHN SLOAN,

Petitioner,

v.

Case No. 08-C-817

UNITED STATES OF AMERICA,

Respondent.

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**ORDER**

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John Sloan appealed this Court's dismissal of his action. Subsequent to filing his notice of appeal, he filed a motion for reconsideration in this Court. After the Seventh Circuit denied Sloan's request for a certificate of appealability, I denied his motion for reconsideration. He now seeks leave to appeal that denial. The motion for reconsideration raised entirely new arguments that were not present in petitioner's original motion and brief. Although one paragraph of the brief mentions the new issue elliptically, it is clear from the brief that petitioner's motion to vacate was adjudicated on the grounds he actually presented. Moreover, review of the motion itself clearly presents only two issues, both of which involve the grounds already ruled on. Accordingly, the motion for reconsideration was improper, and the request for a COA is **DENIED**. And, as petitioner was *in forma pauperis* in his prior appeal, I construe the request for a COA as a renewed request to proceed IFP on appeal. That is also **DENIED**, as any appeal is not taken in good faith.

**SO ORDERED** this 22nd day of June, 2009.

s/ William C. Griesbach  
William C. Griesbach  
United States District Judge